

Newstead Town Board Meeting- December 28, 2004

A Regular Meeting was called to order by the Newstead Town Board on Tuesday, December 28, 2004 at the Newstead Town Hall at 8:00pm.

Present: Gerald F. Summe, Supervisor
Joan Glor- Councilwoman
Scott Chaffee- Councilman
Jim Ebersole- Highway Supt.
Fred Pask- Assessor
Christine Falkowski- Building Administrator
Andrew Casolini- Town Engineer
Nathan Neill- Town Attorney
Dawn Izydorczak- Town Clerk
Kathleen McLeod Lang- Deputy Town Clerk

Roll Call was taken with all board members present except Councilman George who was at a meeting and Councilman Finger who was on vacation.

Councilwoman Glor led the pledge to the flag.

Minutes from the previous regular board meeting held on December 13, 2004 and the special meeting held on December 20, 2004 were presented for approval. A motion was made by Councilwoman Glor, seconded Councilman Chaffee to approve as presented.

Carried Unanimously

Communications – The Town Clerk presented the following:

The Water Sampling Report for Water Districts #1 & #3 was received for December 2004 from the Village of Akron with all levels in acceptable ranges.

A letter approval from the NYS Department of Ag & Markets regarding the Final Notice of Intent submitted for the Water District #10 project.

A letter from the NYS Association of Towns announcing the reinstatement of court fees to the local municipalities by the Governor's office.

A motion was made by Councilman Chaffee, seconded by Councilwoman Glor to receive and file correspondence as presented.

Carried Unanimously

Work Session: Supervisor Summe reported that a work session was held on December 20, 2004 with the following topics discussed: Water district #10, Water tank, the Kelkenberg Subdivision, the new town hall, Route 5 re-zoning, fire inspections and appointments for staff vacancies.

Privilege of the Floor –No one spoke

Approval of Bills -Councilwoman Glor reported that the Abstract from Batch #341,342 & 343 from the December 13, 2004 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #348. Vouchers on these abstracts numbered 1389-1431 totaling \$49,385.31 and were presented for payment approval by Councilwoman Glor, seconded by Councilman Chaffee to approve payment.

Abstract Batch 348:

General Fund (A) -\$27,163.60, Fund (B) \$804.00, Highway (DA) -\$0, Highway: Outside Village (DB) \$6,264.09, Capital Projects- CAP-Senior Center (HF)- \$0, CAP- Library Fund (HE)-\$0, CAP-WD#10 (HI)- \$14,500.00, CAP- Town Hall (HK)- \$0, Fire Protection (SF) \$0, Refuse (SR) \$0, Sewer Fund (SS) \$34.89, Sewer District #2 (SS02)- \$67.34, and Water Districts (SW1) \$96.04, (SW2) \$12.21 (SW3) \$286.39, (SW4) \$0, (SW5) \$10.56, (SW6) \$3.96, (SW7) \$12.21, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$130.02, Trust & Agency (TA) \$0, Totaling \$49,385.31

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway –Supervisor Ebersole stated that Christmas Eve we received 8 inches of snow but roads were cleared and sanded by 10:00 PM with no overtime. They used a considerable amount of salt and sand over the last 2 weeks. The total amount of overtime for last 2 weeks is 96 hours.

Assessor – Fred Pask announced his retirement effective December 30, 2004 as Assessor for the Town of Newstead. He thanked Supervisor Summe and the Town Board members for all the opportunities they have given him and he thanked his staff for their dedication and daily efforts over the past 15 years.

Building Office –the following building report was presented by the Building Administrator Christine Falkowski:

John Wood	11784 Rapids Rd	Shed
William Frey	8536 Burdick Rd	Shed Re-build
Sam Militello	12275 Meahl	One Family Home
Kim Borden	11921 Hunts Corners	Garage/Shed
Charles Mullins	12381 Main	Cottage Rehab

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee to accept and approve the Building Report and Zoning Report as presented.

Carried Unanimously

The Supervisor noted that he received a call from a resident 2 weeks ago concerning someone living in a mobile trailer behind the motel at 13536 Main Road. He called the building inspector at 11:00pm and asked him to check it out. The building inspector went out at 12:00am midnight and discovered there was someone living there and they were ordered to vacate the premises immediately. The Town has been out to this location several times for several incidents. The building and zoning officers will monitor and court action may now be taken.

Town Clerk- Received the newly preserved Town of Newstead Minutes Book from 1920-1929 from Brown's River Preservation Services.

Attorney for the Town –Nothing at this time

COUNCILPERSONS

Chaffee –Nothing at this time

George – Not present

Glor – Councilwoman Glor announced her resignation from the Newstead Town Board effective December 31, 2004 for personal reasons.

Finger- Not present

SUPERVISOR –Nothing at this time

UNFINISHED BUSINESS

Water District #10/Water Tank- Progressing with nothing new

Town Wide Drainage-Nothing new but will be ready after the New Year.

Town Hall Project-It is progressing nicely, painting done and ready to order office furniture. Tiling going in this week along with ceiling.

Route 5 Zoning-Public Hearing to be scheduled after January 1, 2005

Other- nothing

NEW BUSINESS:

Public Hearing- Route 5 Overlay Zone:

A motion was made by Councilman Chaffee, seconded by Councilwoman Glor authorizing the call for a public hearing on Local Law No. 1 of 2005, the Route 5 Overlay Zone to be held at the Newstead Town Hall on January 24, 2005 at 7:30pm to hear comments on the project.

(Resolution Attached) Ayes-3 Nays-0 Carried

Lead Agency- Zoning Amendements:

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee issuing a Declaration of Lead Agency on the zoning amendements proposed in Local Law No. 2 of 2005 regulating fences, walls and decorative markers.

(Resolution Attached) Ayes-3 Nays-0 Carried

Public Hearing- Zoning Amendements:

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee authorizing the call for a public hearing on the proposed Local Law No. 2 of 2005 entitled "Zoning Law Amendment" which will regulate fences, walls and decorative markers, to be held at the Newstead Town Hall on January 24, 2005 at 7:50pm to hear comments on the project.

(Resolution Attached) Ayes-3 Nays- 0 Carried

Public Hearing- Amend WD#10 Map Plan & Report:

A motion was made by Councilman Chaffee, seconded by Councilwoman Glor authorizing the call for a public hearing on the proposed amendment to the WD#10 Map Plan & Report at the Newstead Town Hall on January 17, 2005 at 7:30 PM to hear comments on the project.

(Resolution Attached) Ayes-3 Nays- 0 Carried

Lateral Restriction Application-11088 Keller Rd:

A motion was made by Councilman Chaffee, seconded by Councilwoman Glor to approve the lateral restriction application for 11088 Keller Rd based on the hardship evidence provided.

Ayes-3 Nays-0 Carried

Erie County Senior Services:

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee to authorize the Supervisor to sign the Erie Count Senior Services contract.

Ayes-3 Nays-0 Carried

Sale of Newstead Town Hall

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee to request the services of Clayton Ertel from Reality USA in listing the Newstead Town Hall for sale at \$239,000.

(Resolution Attached) Ayes-3 Nays-0 Carried

Purchase of Office Furniture for New Town Hall:

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee, based on several bids received, to purchase office furniture for the New Town Hall from Integrity Distributions at a cost of \$6,987.60.

Ayes-3 Nays-0 Carried

Other: Organizational Meeting will be held on Monday January 3, 2005 at 7:00 PM at the Newstead Town Hall.

Question Period-No one spoke

There being no further business to come before the board a motion was made by Councilwoman Glor, seconded by Councilman Chaffee to adjourn the meeting at 8:33PM

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorczak,
Town Clerk